


## ANALYSIS

This ordinance repeals those provisions of Title 31 – Green Building Standards Code – of the Los Angeles County Code that had incorporated portions of the 2013 Edition of the California Green Building Standards Code by reference, and replaces them with provisions incorporating by reference portions of the 2016 California Green Building Standards Code, published by the California Building Standards Commission, with certain changes and modifications.

State law requires that the County adopt ordinances that contain the same requirements as are contained in the building standards published in the most recent edition of the California Green Building Standards Code. State law allows the County to change or modify these requirements only if it determines that such changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions.

The changes and modifications to requirements contained in the building standards published in the 2016 California Green Building Standards Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions. This ordinance also makes certain modifications to the administrative portions of Title 31, and incorporates by reference certain administrative provisions contained in Title 26 – Building Code.

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CBS:gjv

Requested: 07/21/16  
Revised: 10/03/16

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 31 – Green Building Standards Code of the Los Angeles County Code – by adopting and incorporating, by reference, the 2016 California Green Building Standards Code, with certain changes and modifications, and making other revisions thereto.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Chapters 2 through 8, Appendix A4, and Appendix A5, which incorporate by reference and modify portions of the 2013 California Green Building Standards Code, are hereby repealed.

**SECTION 2.** Section 100 is hereby amended to read as follows:

**100 ADOPTION BY REFERENCE**

Except as hereinafter changed or modified, Sections 102 through 119 of Chapter 1 of Title 26 of the Los Angeles County Code are adopted and incorporated, by reference, into this Title 31 as if fully set forth below, and shall be known as Sections 102 through 119 of Chapter 1 of Title 31 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 8, Appendix A4 and Appendix A5, of that certain code known and designated as the ~~2013~~2016 California Green Building Standards Code, as published by the California Building Standards Commission, are adopted and incorporated, by reference, into this Title 31 as if fully set forth below, and shall be known as Chapters 2 through 8, Appendix A4 and Appendix A5, of Title 31 of the Los Angeles County Code.

A copy of the 2013~~2016~~ California Green Building Standards Code shall be at all times maintained by the Building Official for use and examination by the public.

**SECTION 3.** Section 202 is hereby amended to read in alphabetical order as follows:

**202 DEFINITIONS**

. . .

**DEVELOPMENT.** Any activity requiring discretionary or non-discretionary land use or construction approval from the County that results in the creation, addition, modification, or replacement of impervious surface area, which replacement is not part of routine maintenance activity. Development includes, but is not limited to, land subdivisions; the construction, installation, addition, or replacement of a building or structure; expansion of a building footprint; and land-disturbing activities related to structural or impervious surfaces. Development shall not include routine maintenance of original lines and grades and/or hydraulic capacity.

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**SECTION 4.** Section 301 is hereby amended to read as follows:

**301 GENERAL**

**301.1 Scope.**

Buildings and structures shall be designed to include the green building measures indicated in Sections 301.1.1, 301.2, and 301.3.~~specified as mandatory in the application checklists contained in this code. Voluntary green building measures are also included in the application checklists and may be included in the design and~~

~~construction of structures covered by this code, but are not required unless adopted by a city, county or city and county as specified in Section 101.7.~~

**301.1.1                    ~~Additions and alterations.~~Residential construction.**

**[HCD]**

The mandatory provisions of Chapter 4 shall be applied to newly constructed low-rise and high-rise residential buildings and structures six stories or less and additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned volume or size. The requirements shall apply only to and/or within the specified area of the addition or alteration.

Newly constructed high-rise residential buildings of seven stories or greater shall comply with Section 301.3.

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**301.3                    ~~Nonresidential additions and alterations~~ construction.**

**[BSC - CG]**

. . .

**301.3.3                    Nonresidential buildings greater than or equal to 25,000 square feet.**

In addition to the requirements of Section 301.3, any newly constructed nonresidential building greater than or equal to 25,000 square feet shall comply with all requirements of Section A5.601.2.4 Tier 1.

**Exceptions:**

1.        Compliance with Section A5.601.2.3 shall be voluntary.

2. High-rise residential buildings of seven stories or greater shall comply with Table A4.106.5.1(3) in lieu of Table A5.106.11.2.2.

**SECTION 5.** Section 4.106.5 is hereby added to read as follows:

**4.106.5 Low-impact development (LID).**

New development or alterations to existing developed sites shall comply with Chapter 12.84 of Title 12 of the Los Angeles County Code.

**SECTION 6.** Section 4.408 is hereby amended to read as follows:

**4.408 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING**

**4.408.1 Construction waste management.**

Newly-constructed projects and additions and alterations to existing buildings shall ~~Recycle~~ and/or salvage for reuse a minimum of 65 percent of the non-hazardous construction and demolition ~~waste~~debris, in accordance with either Section 4.408.2, 4.408.3 or 4.408.4, or meet a more stringent local construction and demolition waste management ordinance, whichever is more stringent. Calculate the amount of materials diverted by weight or by volume, but not by both.

**Exceptions:**

- ~~1. Excavated soil and land-clearing debris.~~
- ~~2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the jobsite.~~

~~3. The enforcing agency may make exceptions to the requirements of this section when isolated jobsites are located in areas beyond the haul boundaries of the diversion facility.~~

**~~4.408.2 Construction waste management plan.~~**

~~Submit a construction waste management plan in conformance with Items 1 through 5. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the enforcing agency.~~

~~1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project or salvage for future use or sale.~~

~~2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).~~

~~3. Identify diversion facilities where the construction and demolition waste material will be taken.~~

~~4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.~~

~~5. Specify that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.~~

**~~4.408.3 Waste management company.~~**

~~Utilize a waste management company, approved by the enforcing agency, which can provide verifiable documentation that the percentage of construction and demolition waste material diverted from the landfill complies with Section 4.408.1.~~

~~Note: The owner or contractor may make the determination if the construction and demolition waste materials will be diverted by a waste management company.~~

#### ~~4.408.4 Waste stream reduction alternative [LR].~~

~~Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed 3.4 pounds per square foot of the building area shall meet the minimum 65 percent construction waste reduction requirement in Section 4.408.1.~~

#### ~~4.408.4.1 Waste stream reduction alternative.~~

~~Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed 2 pounds per square foot of the building area, shall meet the minimum 65 percent construction waste reduction requirement in Section 4.408.1~~

#### ~~4.408.5 Documentation.~~

~~Documentation shall be provided to the enforcing agency which demonstrates compliance with Section 4.408.2, Items 1 through 5, Section 4.408.3 or Section 4.408.4.~~

~~Notes:~~

~~1. Sample forms found in "A Guide to the California Green Building Standards Code (Residential)" located at [www.hcd.ca.gov/CALGreen.html](http://www.hcd.ca.gov/CALGreen.html) may be used to assist in documenting compliance with this section.~~

~~2. Mixed construction and demolition debris (C&D) processors can be located at the California Department of Resources Recycling and Recovery (CalRecycle).~~

**SECTION 7.** Section 5.106.2 is hereby added to read as follows:

**5.106.2 Low-impact development (LID).**

New development or alterations to existing developed sites shall comply with Chapter 12.84 of Title 12 of the Los Angeles County Code.

**SECTION 8.** Section 5.106.3 is hereby added to read as follows:

**5.106.3 Reserved.**

**SECTION 9.** Section 5.408 is hereby amended to read as follows:

**5.408 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING**

**5.408.1 Construction waste management.**

Newly-constructed projects and additions and alterations to existing buildings shall ~~Recycle and/or salvage for reuse a minimum of 65 percent of the non-hazardous construction and demolition waste~~debris, in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3, or meet a local construction and demolition waste management ordinance, whichever is more stringent. Calculate the amount of materials diverted by weight or volume, but not by both.

**~~5.408.1.1 Construction waste management plan.~~**

~~Where a local jurisdiction does not have a construction and demolition waste management ordinance that is more stringent, submit a construction waste management plan that~~



~~1.——Identifies the construction and demolition waste materials to be diverted from disposal by efficient usage, recycling, reuse on the project or salvage for future use or sale.~~

~~2.——Determines if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).~~

~~3.——Identifies diversion facilities where construction and demolition waste material collected will be taken.~~

~~4.——Specifies that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.~~

**~~5.408.1.2——Waste management company.~~**

~~Utilize a waste management company that can provide verifiable documentation that the percentage of construction and demolition waste material diverted from the landfill complies with this section.~~

~~Note: The owner or contractor shall make the determination if the construction and demolition material will be diverted by a waste management company.~~

**~~Exceptions to Sections 5.408.1.1 and 5.408.1.2:~~**

~~1.——Excavated soil and land-clearing debris~~

~~2.——Alternate waste reduction methods developed by working with local agencies if diversion and recycle facilities capable of compliance with this item do not exist.~~

~~3.——Demolition waste meeting local ordinance or calculated in consideration of local recycling facilities and markets.~~

**~~5.408.1.3~~ ~~Waste stream reduction alternative.~~**

~~The combined weight of new construction disposal that does not exceed two pounds per square foot of building area may be deemed to meet the 65 percent minimum requirement as approved by the enforcing agency.~~

**~~5.408.1.4~~ ~~Documentation.~~**

~~Documentation shall be provided to the enforcing agency which demonstrates compliance with Sections 5.408.1.1 through 5.408.1.3. The waste management plan shall be updated as necessary and shall be accessible during construction for examination of the enforcing agency.~~

**~~Notes:~~**

- ~~1. Sample forms found in "A Guide to the California Green Building Standards Code (Nonresidential)" located at <http://www.bsc.ca.gov/Home/CALGreen.aspx> may be used to assist in documenting compliance with the waste management plan.~~
- ~~2. Mixed construction and demolition debris (C&D) processors can be located at the California Department of Resources Recycling and Recovery (CalRecycle).~~

**~~5.408.2~~ ~~Universal waste. [A].~~**

~~Additions and alterations to a building or tenant space that meet the scoping provisions in Section 301.3 for nonresidential additions and alterations, shall require verification that Universal Waste items such as fluorescent lamps and ballast and mercury containing thermostats as well as other California prohibited Universal Waste~~

~~materials are disposed of properly and are diverted from landfills. A list of prohibited Universal Waste materials shall be included in the construction documents.~~

**Note:** Refer to the Universal Waste link at:

~~[http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/OEAR-A\\_REGS\\_UWR\\_FinalText.pdf](http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/OEAR-A_REGS_UWR_FinalText.pdf).~~

**~~5.408.3~~ ~~Excavated soil and land clearing debris.~~**

~~100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed.~~

~~Exception: Reuse, either on or off site, of vegetation or soil contaminated by disease or pest infestation.~~

Notes:

- ~~1. If contamination by disease or pest infestation is suspected, contact the County Agricultural Commissioner and follow its direction for recycling or disposal of the material.~~

~~([www.cdfa.ca.gov/exec/county/county\\_contacts.html](http://www.cdfa.ca.gov/exec/county/county_contacts.html))~~

- ~~2. For a map of known pest and/or disease quarantine zones, consult with the California Department of Food and Agriculture. ([www.cdfa.ca.gov](http://www.cdfa.ca.gov))~~

**SECTION 10.** Appendix A4 is hereby amended to read as follows:

## APPENDIX A4

### RESIDENTIAL VOLUNTARY MEASURES

~~Some of the~~ The measures contained in this appendix are not mandatory unless indicated elsewhere in this Code. ~~adopted by a city, county or city and county as specified in Section 101.7 and provide additional measures that d~~ Designers, builders, and property owners ~~may wish~~ are encouraged to consider all of these measures during the planning, design, and construction process.

**SECTION 11.** Section A4.108.1 is hereby amended to read as follows:

**A4.108.1 Innovative concepts and local environmental conditions.**

The provisions of this eCode are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this eCode. ~~This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.~~

**SECTION 12.** Section A4.306.1 is hereby amended to read as follows:

**A4.306.1 Innovative concepts and local environmental conditions.**

The provisions of this eCode are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this eCode. ~~This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.~~

**SECTION 13.** Section A4.411.1 is hereby amended to read as follows:

**A4.411.1                    Innovative concepts and local environmental conditions.**

The provisions of this eCode are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this eCode. ~~This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.~~

**SECTION 14.**            Section A4.509.1 is hereby amended to read as follows:

**A4.509.1                    Innovative concepts and local environmental conditions.**

The provisions of this eCode are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this eCode. ~~This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.~~

**SECTION 15.**            Section A4.601.1 is hereby amended to read as follows:

**A4.601.1                    Scope.**

The measures contained in this appendix are not mandatory unless adopted by a ~~city, county, or city and county as specified in Section 101.7~~indicated elsewhere in this Code. The provisions of this sSection outline means of achieving enhanced construction or reach levels by incorporating additional green building measures. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.

**SECTION 16.** Section A4.601.2 is hereby amended to read as follows:

**A4.601.2 Prerequisite measures.**

Tier 1 and Tier 2 thresholds require compliance with the mandatory provisions of this eCode and incorporation of the required prerequisite measures listed in Section A4.601.4.2 for Tier 1 and A4.601.5.2 for Tier 2. ~~Prerequisite measures are also identified in the Residential Occupancies Application Checklist in Section A4.602.~~

~~As specified in Section 101.7, additional prerequisite measures may be included by the enforcing agency to address specific local environmental conditions and may be listed in the Innovative Concepts and Local Environmental Conditions portions of the checklist.~~

**SECTION 17.** Section A4.602 is hereby amended to read as follows:

**RESIDENTIAL OCCUPANCIES APPLICATION CHECKLIST**

...

~~<sup>1</sup>Green building measures listed in this table may be mandatory if adopted by a city, county, or city and county as specified in Section 101.7. Reserved.~~

...

**SECTION 18.** Section A4.701.1 is hereby amended to read as follows:

**A4.701.1 General.**

The voluntary measures of this eCode are designed and promulgated to be adopted by reference and made mandatory by local ordinance ~~pursuant to Section 401.7.~~ Jurisdictions wishing to adopt the voluntary provisions of this eCode as an

enforceable regulation governing structures and premises should ensure that certain factual information is included in the adopting ordinance and that the measures are appropriate and achievable and are considered to be suitable as mandatory by the city, county, or city and county. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the eCode text.

~~This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code.~~

. . .

**SECTION 19.** The Appendix A5 heading is hereby amended to read as follows:

#### **APPENDIX A5**

##### **NON-RESIDENTIAL VOLUNTARY MEASURES**

The measures contained in this appendix are not mandatory ~~unless adopted by a city, county, or city and county as specified in Section 101.7 and provide additional measures that~~except to the extent indicated elsewhere in this Code. ~~d~~Designers, builders and property owners may wishare encouraged to consider all of these measures during the planning, design, and construction process.

**SECTION 20.** Section A5.601.1 is hereby amended to read as follows:

##### **A5.601.1 Scope.**

The measures contained in this appendix are not mandatory ~~unless adopted by local government as specified in Section 101.7~~except to the extent indicated elsewhere

in this Code. The provisions of this sSection outline means of achieving enhanced construction or reach levels by incorporating additional green building measures for newly constructed nonresidential buildings as well as additions. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level.

**SECTION 21.** The provisions of this ordinance contain various changes, modifications, and additions to the 2016 Edition of the California Green Building Standards Code. Some of these changes are administrative in nature in that they do not constitute changes or modifications to requirements contained in the building standards published in the California Green Building Standards Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Green Building Standards Code contained in this ordinance that are not administrative in nature are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles as set forth more particularly in the table below:

<b>GREEN BUILDING STANDARDS CODE AMENDMENTS</b>		
<b>CODE SECTION</b>	<b>CONDITION</b>	<b>EXPLANATION</b>
301.1, 301.1.1	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for all



GREEN BUILDING STANDARDS CODE AMENDMENTS		
CODE SECTION	CONDITION	EXPLANATION
		residential additions and alterations, and for residential buildings of seven stories or greater in height, will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage and improved environmental air quality.
301.3, 301.3.3	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for nonresidential buildings and residential buildings of seven stories or greater in height that are greater than or equal to 25,000 square feet in floor area will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage and improved environmental air quality.
4.106.5	Climatic and Topographic	The County of Los Angeles is a densely populated area having residential buildings constructed within a region where water is scarce and maintaining storm water runoff quality is required. The proposed low impact development measures will allow greater conservation of rain water, increase in groundwater recharge, reduction of storm water runoff, and improvement in storm water runoff quality.
5.106.2	Climatic and Topographic	The County of Los Angeles is a densely populated area having buildings constructed within a region where water is scarce and maintaining storm water runoff quality is required. The proposed low-impact development measures will allow greater conservation of rain water, increase in groundwater recharge, reduction of storm water runoff and improvement in storm water runoff quality.

Appendix A5, A5.601.1	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for nonresidential buildings and residential buildings of seven stories or greater in height that are greater than or equal to 25,000 square feet in floor area will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage and improved environmental air quality.
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**SECTION 22.** This ordinance shall become operative on January 1, 2017.

[TITLE31GREENBUILDINGCODE2016CSCC]